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*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and for the Estate of Bernard L. Madoff*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ESTATE OF JAMES HELLER, BARBARA H.  
FRIETAG, as personal representative and as an  
individual, STEVEN P. HELLER, as personal  
representative and as an individual, HARRY H.  
FALK, as personal representative, EVE FRIETAG,  
ELIZABETH FRIETAG DRANOFF, TRUST FBO  
AN.D. [a minor] UNDER ARTICLES SIXTH AND  
EIGHTH OF THE LAST WILL AND TESTAMENT

Adv. Pro. No. 10-05061 (SMB)

OF JAMES HELLER, a New York trust, BARBARA H. FRIETAG, as trustee, TRUST FBO AL.D. [a minor] UNDER ARTICLES SIXTH AND EIGHTH OF THE LAST WILL AND TESTAMENT OF JAMES HELLER, a New York trust, BARBARA H. FRIETAG, as trustee, TRUST FBO S.H. [a minor] UNDER ARTICLES SIXTH AND EIGHTH OF THE LAST WILL AND TESTAMENT OF JAMES HELLER, a New York trust, STEVEN P. HELLER, as trustee, TRUST FBO KATHERINE HELLER UNDER ARTICLES SIXTH AND EIGHTH OF THE LAST WILL AND TESTAMENT OF JAMES HELLER, a New York trust, STEVEN P. HELLER, as trustee, KATHERINE HELLER, and ELEANOR LEACOCK,

Defendants.

**FIFTH AMENDED CASE MANAGEMENT NOTICE**

PLEASE TAKE NOTICE, that pursuant to the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Order”) [Dkt. No. 3141] entered by the Bankruptcy Court in the above captioned SIPA liquidation, Adv. Pro. No. 08-01789 (SMB), on November 10, 2010, the following deadlines are hereby made applicable to this adversary proceeding:

1. The Initial Disclosures have been exchanged.
2. Fact Discovery has been completed.
3. The Disclosure of Case-in-Chief Experts shall be due: February 15, 2017.
4. The Disclosure of Rebuttal Experts shall be due: March 16, 2017.
5. The Deadline for Completion of Expert Discovery shall be: June 16, 2017.
6. The Deadline for Mediation Referral shall be: August 17, 2017.
7. The Deadline to Choose a Mediator and File a Notice of Mediator Selection shall be: August 31, 2017.
8. The Deadline for Conclusion of Mediation shall be: January 5, 2018.

Dated: New York, New York  
September 29, 2016

Of Counsel:

**BAKER & HOSTETLER LLP**  
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By: /s/ Nicholas J. Cremona

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